

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DEVONTE KING,

Plaintiff,

vs.

STATE OF NEBRASKA, CITY OF
NORTH PLATTE NE, and TOBY
SMITH, Police;

Defendants.

8:21CV445

MEMORANDUM AND ORDER

This matter is before the court on Plaintiff's Motion for Leave to Proceed in Forma Pauperis filed on April 18, 2022. (Filing 12.) On April 8, 2022, the court dismissed this matter without prejudice after Plaintiff failed to either file a new request for leave to proceed in forma pauperis or pay the court's \$402.00 filing and administrative fees. (Filings 9 & 10.) Plaintiff had until April 4, 2022 to comply with the court's order, which was sent to him at the address listed in his Complaint and was not returned to this court as undeliverable. (*See* Filing 8.) Accordingly, the court will deny Plaintiff's IFP motion as moot as it was filed after this matter had been dismissed.¹

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion for Leave to Proceed in Forma Pauperis (filing 12) is denied as moot.

¹ Because this matter was dismissed without prejudice, Plaintiff is free to file a new case reasserting his claims.

2. The clerk of court is directed to send a copy of the April 8, 2022 Memorandum and Order (filing 9) and Judgment (filing 10) to Plaintiff at the address currently on file.

Dated this 8th day of June, 2022.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge